



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant : Kenneth L. Davis
Serial No. : 09/747,332
Filed : December 22, 2000
Title : METHOD AND APPARATUS FOR CONVEYING DESIGN INFORMATION
OF COMPUTER AIDED DESIGN (CAD) MODELS

Art Unit : 2173
Examiner : Namitha Pillai
Confirmation No.: 1296

Mail Stop Appeal Brief - Patents

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

BRIEF ON APPEAL

(1) Real Party in Interest

Autodesk, Inc., the assignee of this application, is the real party in interest.

(2) Related Appeals and Interferences

There are no related appeals or interferences.

(3) Status of Claims

Claims 1-22 are pending in this application. Claims 1, 11 and 21 are independent claims. All claims have been rejected, and all claims have been appealed.

(4) Status of Amendments

The claims have not been amended subsequent to final rejection. There are no unentered amendments.

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(5) Summary of Claimed Subject Matter

Independent claim 1 recites a method including the step of detecting a cursor in a proximity of a geometry piece of a computer aided design, the cursor separate from and movable relative to the computer aided design (Specification at page 6, lines 10-15, p. 7, ll. 19-20, FIG. 3). For example, Figure 3 shows a user moving a cursor 310 in proximity to a geometry piece, guide dowel 215, and Figure 4 shows the cursor 310 being detected in proximity to mounting hole 210. The method also includes, in response to detecting the cursor in the proximity of the geometry piece, determining whether multimedia is associated with the geometry piece of the computer aided design (Specification at p. 6, ll. 12-15 and FIG. 3). For example, Figure 3 shows the cursor 310 approaching the proximity of the guide dowel 215. The method further includes, in response to a positive determination that multimedia is associated with the geometry piece, automatically generating an icon associated with the geometry piece of the computer aided design for accessing the associated multimedia (Specification at p. 6, ll. 19-23 to p. 7, line 1 and FIG. 3). For example, Figure 3 shows an icon 320, associated with guide dowel 215, that multimedia manager 108 automatically generated.

Claim 2 depends from claim 1 and further provides that automatically generating the icon includes automatically generating a leader line entity from the geometry piece (Specification, p. 6, ll. 19-23, FIG. 3). For example, Figure 3 shows a leader line 315 extending between an icon 320 and a geometry piece 215.

Independent claim 11 recites the features described above in reference to claim 1 in the context of an article comprising a machine accessible medium having instructions encoded therein, said instructions, which when executed by a machine operate to perform the features of independent claim 1 (Specification at p. 13, ll. 9-21 and FIG. 7). Independent claim 21 recites the features in the context of an apparatus comprising a machine accessible medium having instructions encoded therein, said instructions, which when executed by a machine operate to perform the features of independent claim 1 (Specification at p. 13, ll. 9-21 and FIG. 7).

(6) Grounds of Rejection

a. Claims 1-3, 5-13, and 15-22

Claims 1-3, 5-13, and 15-22 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,526,478 ("Russell").

b. Claims 4 and 14

Dependent claims 4 and 14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,526,478 ("Russell").

(7) Argument

a. Claims 1-22 are not properly rejected under 35 U.S.C. 102(b) as being anticipated by Russell.

Claims 1-10

Independent claim 1 recites a method including the steps of:

detecting a cursor in a proximity of a geometry piece of a computer aided design, the cursor separate from and movable relative to the computer aided design;

in response to detecting the cursor in the proximity of the geometry piece, determining whether multimedia is associated with the geometry piece of the computer aided design; and

in response to a positive determination that multimedia is associated with the geometry piece, automatically generating an icon associated with the geometry piece of the computer aided design for accessing the associated multimedia.

The Appellant respectfully requests reversal of the rejection of independent claim 1 and dependent claims 2-10, which depend from claim 1, because Russell fails to disclose the elements of claim 1.

The Examiner asserts that the pointer 41 disclosed in FIG. 4A of Russell is the cursor described in the first limitation of claim 1. The appellant respectfully disagrees. The pointer 41 is created by a control device (*e.g.*, a mouse) causing a cursor to be positioned at a point on a model. The control device generates a signal to generate the pointer 41 where the cursor is located and "sets" the pointer. Once the pointer is set, *the pointer is attached to the model* (Russell col. 8, ll. 41-42). When the model moves or rotates, *the pointer moves or rotates along with the model* (Russell col. 8, ll. 42-43). "In other words, when a pointer is set, it is part of the model displayed" (Russell col. 8, ll. 27-44).

The pointer 41 of Russell is clearly different than the cursor described in claim 1. First, the cursor in claim 1 is separate from the computer aided design. By contrast, the pointer 41 of Russell becomes part of the model displayed. Second, the cursor in claim 1 is movable relative to the computer aided design, which is consistent with the limitation that includes detecting the cursor in a proximity of a geometry piece of the computer aided design. By contrast, the pointer 41 of Russell is not movable relative to the model, and in fact clearly moves or rotates along with the model. Accordingly, Russell fails to disclose the first limitation of claim 1, "detecting a cursor in a proximity of a geometry piece of a computer aided design, the cursor separate from and movable relative to the computer aided design."

The second limitation of claim 1 requires that "in response to detecting the cursor in the proximity of the geometry piece, determining whether multimedia is associated with the geometry piece of the computer aided design." The Examiner asserted that "Russell discloses determining whether multimedia is associated with the geometry piece of the computer aided design, wherein there is a determination process involving determining if a multimedia link exists with a distinct geometry of a computer aided design to which a cursor is pointing" (Office Action of May 28, 2004, p. 2, and Final Office Action of February 9, 2005, at p. 2). The appellant respectfully disagrees. Russell does not determine whether multimedia is associated with a geometry piece in response to detecting a cursor in the proximity of the geometry piece.

First, in Russell, the multimedia function is linked to the pointer, and not a geometry piece - which pointer the Examiner has already asserted is the same as the cursor recited in claim 1. This highlights another reason why the cursor of claim 1 is not the same as Russell's pointer 41 (*i.e.*, because there is no multimedia functions linked to the appellant's cursor, but rather multimedia is associated with a geometry piece that is in a proximity to a cursor).

Second, Russell, in response to "activating" the pointer 41 by attaching a marker 42, determines if multimedia is associated with the pointer 41. Russell describes the process of "activating" a pointer as follows: "One embodiment of attaching marker 42 to pointer 41 so as to activate pointer 41 is to use control device 27 to place cursor 29 to the end of pointer 41. The user activates one of the signal generation devices on control device 27. This causes pointer 41 to be attached with marker 42" (Russell at col. 8, lines 53-58). The process of attaching a marker to a pointer, *i.e.*, activating a pointer, is user-driven. Once the pointer 41 is activated by attaching the marker 42, "all 'immediate' multimedia functions linked to the selected pointer are executed" (Russell at col. 12, lines 6-7). Further, a user can attach a marker 42 to a point 41 whether or not there is a multimedia function linked to the pointer 41. Thus, there is no determination of whether multimedia is associated with a geometry piece in response to detecting a cursor in the proximity of the geometry piece as required by claim 1. Accordingly, the second limitation of claim 1 is not satisfied by Russell.

Claim 1 further recites in response to a positive determination that multimedia is associated with the geometry piece, automatically generating an icon associated with the geometry piece of the computer aided design for accessing the associated multimedia. The Examiner asserts that the "icon" recited in claim 1 is satisfied by the marker 42 disclosed in Russell (Office Action of May 28, 2004, at p. 2, and Final Office Action of February 9, 2005, at pp. 2-3). The marker 42 in Russell is not automatically generated in response to a positive determination that multimedia is associated with a geometry piece. As discussed above, the marker 42 is attached to a pointer 41 to activate the pointer 41, which can occur whether or not there is a multimedia function linked to the pointer 41. Again this is different from claim 1. Thus, in Russell, generating the marker 42 is independent of any determination of whether or not there is multimedia associated with a geometry piece. Accordingly, the third limitation of claim 1 is also not satisfied by Russell.

The Examiner alternatively asserts that pointer 29 shown on FIG. 4A can be the cursor recited in claim 1. Although pointer 29 is a cursor separate from and movable relative to the model 40, Russell does not disclose determining whether multimedia is associated with the model 40 in response to detecting the pointer 29 in the proximity of the model 40, as required by claim 1. Thus, even if Russell detects a pointer 29 in proximity of a geometry piece (which is not conceded), Russell does not, in response to said detection, determine whether multimedia is associated with the geometry piece. Accordingly, even if pointer 29 is the cursor of claim 1, the limitations of claim 1 are not taught or suggested by Russell.

Therefore, for at least the above reasons, claim 1 is allowable over Russell. Claims 2-10 depend from claim 1 and are therefore allowable for at least the same reasons. Accordingly, appellant requests reversal of the rejection of independent claim 1 and the reversal of the rejection of dependent claims 2-10.

Claim 2

Claim 2 is independently allowable for at least the following additional reason. Claim 2 recites the method of claim 1, wherein "automatically generating the icon comprises automatically generating a leader line entity from the geometry piece." For example, as shown in the appellant's FIG. 3, leader line can be line 315 and the icon can be notepad 320. The Examiner asserts that the limitation of claim 2 is disclosed by Russell, and refers to Russell's reference number 42 in FIG. 4A. Reference number 42 is the marker discussed above, which the Examiner has already asserted is the icon recited in claim 1. The Examiner has also asserted that the pointer 41 is the cursor recited in claim 1. Accordingly, because there is no element shown in Russell between the pointer 41 and the marker 42, there is no leader line entity from a geometry piece to an icon, as required by claim 2, which is therefore in condition for allowance. For these reasons, in addition to the reasons noted above with respect to the anticipation rejection of independent claim 1, appellant requests reversal of the rejection of dependent claim 2.

Claims 11-20

Claim 11 recites an article comprising a machine accessible medium having instructions encoded therein, said instructions, which when executed by a machine, operate to detect a cursor in a proximity of a geometry piece of a computer aided design and in response to detecting the cursor in the proximity of the geometry piece, determine whether multimedia is associated with the geometry piece of the computer aided design. The cursor is separate from and movable relative to the computer aided design. In response to a positive determination that multimedia is associated with the geometry piece, an icon is automatically generated that is associated with the geometry piece of the computer aided design for accessing the associated multimedia.

For at least the reasons discussed above in reference to claim 1, Russell fails to disclose detecting a cursor in a proximity of a geometry and, in response to detecting the cursor, determining whether multimedia is associated with the geometry piece. Russell further fails to disclose automatically generating an icon for accessing the associated multimedia in response to a positive determination that multimedia is associated with the geometry piece. Accordingly, claim 11 is allowable over Russell. Claims 12-20 depend from claim 11 and are therefore also in condition for allowance. As such, appellant requests reversal of the rejection of independent claim 11 and dependent claims 12-20.

Claims 21-22

Claim 21 recites an apparatus including a machine accessible medium having instructions encoded therein, said instructions, which when executed by a machine, operate to detect a cursor in a proximity of a geometry piece of a computer aided design and in response to detecting the cursor in the proximity of the geometry piece, determine whether multimedia is associated with the geometry piece of the computer aided design. The cursor is separate from and movable relative to the computer aided design. In response to a positive determination that multimedia is associated with the geometry piece, an icon is automatically generated that is associated with the geometry piece of the computer aided design for accessing the associated multimedia. The apparatus further includes a processor coupled to the machine accessible medium to execute the instructions.

For at least the reasons discussed above in reference to claim 1, Russell fails to disclose detecting a cursor in a proximity of a geometry and, in response to detecting the cursor, determining whether multimedia is associated with the geometry piece. Russell further fails to disclose automatically generating an icon for accessing the associated multimedia in response to a positive determination that multimedia is associated with the geometry piece. Accordingly, claim 21 is allowable over Russell. Claim 22 depends from claim 21 and is therefore also in condition for allowance. As such, the appellant requests reversal of the rejection of independent claim 21 and reversal of the rejection of dependent claim 22.

b. Claims 4 and 14 are not properly rejected under 35 U.S.C. 103 (a) as being obvious in view of Russell.

Dependent claims 4 and 14, which depend from claims 1 and 11, respectively, have been rejected as being unpatentable over Russell. For at least the reasons discussed above with respect to the anticipation rejection of independent claims 1 and 11, dependent claims 4 and 14 would not have been obvious over Russell. As such, dependent claims 4 and 14 are in condition for allowance. Therefore, appellant requests that the rejection of claims 4 and 14 be reversed.

c. Conclusion

For the foregoing reasons, the rejections should be reversed.

In accordance with appellant's Notice of Appeal filed May 9, 2005, appellant submits this Appeal Brief along with a check in the amount of \$500 for the Appeal Brief filing fee. Please apply any other charges or credits to Deposit Account No. 06-1050.

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Attorney's Docket No.: 15786-007001

Brenda Leeds Binder has been given limited recognition under 37 CFR § 11.9(b) as an employee of the Fish & Richardson PC law firm to prepare and prosecute patent applications wherein the patent applicant is a client of Fish & Richardson PC and the attorney or agent of record in the applications is a registered practitioner who is a member of Fish & Richardson, which is the case in the present application.

Respectfully submitted,

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Appendix of Claims

1. A method comprising:
detecting a cursor in a proximity of a geometry piece of a computer aided design,
the cursor separate from and movable relative to the computer aided design;
in response to detecting the cursor in the proximity of the geometry piece,
determining whether multimedia is associated with the geometry piece of the computer aided design; and
in response to a positive determination that multimedia is associated with the geometry piece, automatically generating an icon associated with the geometry piece of the computer aided design for accessing the associated multimedia.
2. The method of claim 1, wherein said automatically generating the icon comprises automatically generating a leader line entity from the geometry piece.
3. The method of claim 2 further comprising automatically generating the icon at an end of the leader line entity opposite the geometry piece.
4. The method of claim 1, wherein said automatically generating the icon comprises automatically generating an icon corresponding to a type of multimedia associated with the geometry piece.
5. The method of claim 1, wherein said icon includes a hyperlink to an application to execute the multimedia.
6. The method of claim 1 further comprising:
determining if a request to associate multimedia with the geometry piece is received;
facilitating association of multimedia with the geometry piece upon determining that the request to associate multimedia with the geometry piece is received;

receiving a selection of a type of multimedia to be associated with the geometry piece;
and

automatically generating an icon associated with the geometry piece for accessing the associated multimedia.

7. The method of claim 6, wherein said receiving the request comprises receiving a cursor selection on the geometry piece.

8. The method of claim 6, wherein said facilitating comprises generating and displaying a menu for selection of a type of multimedia to be associated with the geometry piece.

9. The method of claim 8, wherein said receiving the selection of the type of multimedia comprises receiving the selection of at least one of an audio note, a textual note, and an animation note.

10. The method of claim 6 further comprising receiving an inputted leader line entity.

11. An article comprising a machine accessible medium having instructions encoded therein, said instructions, which when executed by a machine, said executing instructions operate to:

detect a cursor in a proximity of a geometry piece of a computer aided design, the cursor separate from and movable relative to the computer aided design;

in response to detecting the cursor in the proximity of the geometry piece, determine whether multimedia is associated with the geometry piece of the computer aided design; and

in response to a positive determination that multimedia is associated with the geometry piece, automatically generate an icon associated with the geometry piece of the computer aided design for accessing the associated multimedia.

12. The article of claim 11, wherein said executing instructions operate to automatically generate a leader line entity from the geometry piece.

13. The article of claim 12, wherein said executing instructions further operate to automatically generate the icon at an end of the leader line entity opposite the geometry piece.

14. The article of claim 11, wherein said executing instructions operate to automatically generate an icon corresponding to a type of multimedia associated with the geometry piece.

15. The article of claim 11, wherein said executing instructions operate to include a hyperlink to an application to execute the multimedia.

16. The article of claim 11, wherein said executing instructions further operate to determine if a request to associate multimedia with the geometry piece is received, facilitate association of multimedia with the geometry piece upon determining that the request to associate multimedia with the geometry piece is received, receive a selection of a type of multimedia to be associated with the geometry piece, and automatically generate an icon associated with the geometry piece for accessing the associated multimedia.

17. The article of claim 16, wherein said executing instructions operate to receive a cursor selection on the geometry piece.

18. The article of claim 16, wherein said executing instructions operate to generate and display a menu for selection of a type of multimedia to be associated with the geometry piece.

19. The article of claim 18, wherein said receiving the selection of the type of multimedia comprises receiving the selection of at least one of an audio note, a textual note, and an animation note.

20. The article of claim 16, wherein said executing instructions further operate to receive an inputted leader line entity.

21. An apparatus comprising:
a machine accessible medium having instructions encoded therein, said instructions, which when executed by a machine, operate to:
detect a cursor in a proximity of a geometry piece of a computer aided design, the cursor separate from and movable relative to the computer aided design;
in response to detecting the cursor in the proximity of the geometry piece, determine whether multimedia is associated with the geometry piece of the computer aided design; and
in response to a positive determination that multimedia is associated with the geometry piece, automatically generate an icon associated with the geometry piece of the computer aided design for accessing the associated multimedia; and
a processor coupled to the machine accessible medium to execute said instructions.

22. The apparatus of claim 21, wherein said executing instructions further operate to determine if a request to associate multimedia with the geometry piece is received, facilitate association of multimedia with the geometry piece upon determining that the request to associate multimedia with the geometry piece is received, receive a selection of a type of multimedia to be associated with the geometry piece, and automatically generate an icon associated with the geometry piece for accessing the associated multimedia.